

P R O C E E D I N G S

(Defendant was present.)

THE COURT: Good morning.

MS. PRINZ: Your Honor, this is United States of America versus Alyson Brooke Saunders, 1:20CR362. My name is a Nadia Prinz. I'm representing the Government today.

THE COURT: And it is here for change of plea, correct?

MS. PRINZ: Yes, Your Honor.

THE COURT: Before we get started, since everybody is here, did everybody see the order entered last week to comply with the requirements of Due Process Protection Act for written order confirming the Government's *Brady* obligations?

MS. PRINZ: Yes, Your Honor, I did see that.

MS. GLEASON: Yes, Your Honor.

THE COURT: This Act also requires verbal confirmation in the courtroom when defense counsel is present, so I will confirm the disclosure obligations of the Government under *Brady versus Maryland* and its progeny. Specifically, that the Government has a constitutional duty to disclose material evidence favorable to the Defendant, and failure to do so can result in serious consequences to the Government's case or to counsel.

Does everybody understand?

MS. PRINZ: Yes, Your Honor.

1 **MS. GLEASON:** Yes, Ma'am.

2 **THE COURT:** Anything else that I need to do to comply
3 with that Act?

4 **MS. GLEASON:** No, Your Honor.

5 **MS. PRINZ:** No, Your Honor.

6 **THE COURT:** The courtroom deputy will note in the
7 minutes that I complied with the requirement for verbal
8 confirmation.

9 Turning to Ms. Saunders specifically, have you had
10 enough time to consult with Ms. Saunders and to review
11 discovery and other relevant information?

12 **MS. GLEASON:** I have.

13 **THE COURT:** Can you all hear me okay with the mask?

14 **MS. PRINZ:** Yes, Your Honor.

15 **MS. GLEASON:** Yes, Your Honor.

16 **THE COURT:** Are you ready to proceed?

17 **MS. GLEASON:** Yes, Your Honor.

18 **THE COURT:** Do you believe Ms. Saunders understands
19 the charges and nature of this hearing?

20 **MS. GLEASON:** I do.

21 **THE COURT:** Does she want to enter a plea of guilty
22 pursuant to a plea agreement to Count One, production of child
23 pornography; and Count Six, distribution of child pornography?

24 **MS. GLEASON:** Yes, Your Honor.

25 **THE COURT:** Has anyone made any threats or promises

1 to induce her guilty plea, other than the promises in the plea
2 agreement?

3 **MS. GLEASON:** Not to my knowledge.

4 **THE COURT:** Is it your recommendation that the Court
5 accept her guilty plea?

6 **MS. GLEASON:** Yes, Your Honor.

7 **THE COURT:** Good morning, Ms. Saunders.
8 Can you hear me okay?

9 **THE DEFENDANT:** Yes, Ma'am.

10 **THE COURT:** The courtroom deputy is going to affirm
11 you to give truthful answers to my questions.

12 (Defendant was affirmed.)

13 **THE COURT:** You are now under oath, Ms. Saunders, and
14 if you tell me a lie, that's a crime.

15 Do you understand?

16 **THE DEFENDANT:** Yes, Ma'am.

17 **THE COURT:** Tell me your full name.

18 **THE DEFENDANT:** Alyson Brooke Saunders.

19 **THE COURT:** How old are you?

20 **THE DEFENDANT:** I'm 24.

21 **THE COURT:** How far did you go in school?

22 **THE DEFENDANT:** I graduated high school, and then
23 took some college courses.

24 **THE COURT:** Do you take any prescription medicine?

25 **THE DEFENDANT:** Yes.

1 **THE COURT:** What do you take?

2 **THE DEFENDANT:** Two allergy medications and two
3 inhalers.

4 **THE COURT:** Say again.

5 **THE DEFENDANT:** I'm on two inhalers.

6 **THE COURT:** Do any of those effect your ability to
7 think clearly or interfere with your ability to make decisions?

8 **THE DEFENDANT:** No, Ma'am.

9 **THE COURT:** Have you recently been treated for any
10 mental illness or addiction?

11 **THE DEFENDANT:** Would depression count?

12 **THE COURT:** Yes.

13 **THE DEFENDANT:** Yes.

14 **THE COURT:** Who are you seeing for that?

15 **THE DEFENDANT:** The psychologist at the jail.

16 **THE COURT:** Are you taking any medicine for that?

17 **THE DEFENDANT:** Yes. I'm taking Prozac and Abilify.

18 **THE COURT:** How long have you been taking those?

19 **THE DEFENDANT:** I just started Abilify about a month
20 ago, and the Prozac, 18 months ago.

21 **THE COURT:** Have those medicines caused you any
22 problems in thinking clearly, or resulted in any confusion on
23 your part?

24 **THE DEFENDANT:** No, Ma'am.

25 **THE COURT:** And when was the last time you had any

1 alcohol, drugs, or medicine, that you haven't told me about?

2 **THE DEFENDANT:** Eighteen, 19 months ago.

3 **THE COURT:** Any other prescription medicine that you
4 are taking?

5 **THE DEFENDANT:** No, Ma'am.

6 **THE COURT:** Any other treatment for mental health
7 issues?

8 **THE DEFENDANT:** No, Ma'am.

9 **THE COURT:** Are you able to hear me and understand
10 what is going on today?

11 **THE DEFENDANT:** Yes, Ma'am.

12 **THE COURT:** Did you receive a copy of the indictment
13 which has the written charges against you?

14 **THE DEFENDANT:** Yes, Ma'am.

15 **THE COURT:** Were you able to read it?

16 **THE DEFENDANT:** Yes.

17 **THE COURT:** Do you understand the indictment and the
18 charges that you are facing?

19 **THE DEFENDANT:** Yes.

20 **THE COURT:** Have you had enough time to talk to your
21 lawyer about your case?

22 **THE DEFENDANT:** Yes.

23 **THE COURT:** Have you fully discussed the charges with
24 her and talked to her about your situation, the evidence
25 against you, and any defenses that you might have?

1 **THE DEFENDANT:** Yes.

2 **THE COURT:** And have you talked with her about the
3 penalties for these crimes and the consequences of a guilty
4 plea?

5 **THE DEFENDANT:** Yes.

6 **THE COURT:** Are you satisfied with her
7 representation?

8 **THE DEFENDANT:** Yes.

9 **THE COURT:** We're here this morning because you've
10 signed a written plea agreement, indicating you want to plead
11 guilty to Count One, production of child pornography; and Count
12 Six, distribution of child pornography.

13 Before you can do that, I need to be sure that you
14 understand you do have a right to a jury trial. To be sure you
15 know the elements of these offenses and the possible penalties
16 for these crimes, and to be sure that you understand the
17 sentencing process.

18 We'll also go over your plea agreement. At the end,
19 I'll ask you how you plead to these charges, and you'll let me
20 know if you want to plead guilty, you'll say guilty.

21 If you've changed your mind and want a trial, all you
22 have to do at any point while we're talking this morning, is
23 say, not guilty, I want a trial, anything like that, and I'll
24 set your case for trial. That's very easy this morning while
25 we're talking, but if you plead guilty and I accept your guilty

1 plea, that is very hard to get that set aside so I want to be
2 sure.

3 Do you understand?

4 **THE DEFENDANT:** Yes, Ma'am.

5 **THE COURT:** Do you have any questions before we get
6 started with these topics?

7 **THE DEFENDANT:** No.

8 **THE COURT:** You do have a right to a trial. If you
9 plead not guilty, at trial you are presumed innocent, and the
10 burden of proof is on the Government to prove your guilt beyond
11 a reasonable doubt.

12 This means that the Government must prove each and
13 every element of the crime charged beyond a reasonable doubt,
14 before you can be found guilty of that crime.

15 Do you understand?

16 **THE DEFENDANT:** Yes, Ma'am.

17 **THE COURT:** You have the right to the assistance of
18 counsel at all stages of the proceeding, including a trial, and
19 if you plead not guilty, Ms. Gleason will continue to represent
20 you at trial at no cost to you.

21 Do you understand?

22 **THE DEFENDANT:** Yes, Ma'am.

23 **THE COURT:** You have a right to be present for the
24 trial and to see and hear the testimony of all of the
25 witnesses.

1 You have the right to confront the witnesses, and
2 your lawyer can ask them questions on cross-examination.
3 That's the Government's witnesses.

4 You have a right to present evidence, if you wish,
5 though you're not required to do so, and if you have witnesses
6 that you want to call to testify, you can make them come to
7 court by issuing a subpoena to them at no cost to you.

8 Do you understand those rights?

9 **THE DEFENDANT:** Yes, Ma'am.

10 **THE COURT:** You have the right to testify at your
11 trial if you want, but no one can force you to testify. If you
12 choose not to testify, or not to present evidence, the Court
13 will instruct the jury not to consider this in determining your
14 guilt.

15 Do you understand those rights?

16 **THE DEFENDANT:** Yes, Ma'am.

17 **THE COURT:** Do you have any questions about any of
18 these rights related to trial I've just summarized?

19 **THE DEFENDANT:** No.

20 **THE COURT:** If you plead guilty today, you are giving
21 up all of these rights.

22 Do you understand?

23 **THE DEFENDANT:** Yes, Ma'am.

24 **THE COURT:** Now I see that you have a written plea
25 agreement. Have you read it?

1 **THE DEFENDANT:** Yes, Ma'am.

2 **THE COURT:** Have you had enough time to talk to your
3 lawyer about it?

4 **THE DEFENDANT:** Yes, Ma'am.

5 **THE COURT:** Do you understand it?

6 **THE DEFENDANT:** Yes, Ma'am.

7 **THE COURT:** It appeared to me that you signed it on
8 page 13. Do you have a copy, there Ms. Gleason?

9 **MS. GLEASON:** Yes, Your Honor.

10 **THE COURT:** Is that your signature, Ms. Saunders?

11 **THE DEFENDANT:** Yes, Ma'am.

12 **THE COURT:** Ms. Gleason, I'll ask you to summarize
13 the plea agreement.

14 **MS. GLEASON:** Ms. Saunders is pleading guilty to
15 Counts One and Count Six. She understands as far as the
16 penalties go, that because she's not a recidivist, the
17 penalties for Count One are a term of imprisonment between 15
18 and 30 years, and the penalty for Count Six, is a term of
19 imprisonment of not less than five years, not more than 20
20 years.

21 She understands that following the term of
22 imprisonment, she will be on supervision for not less than five
23 years and not more than life.

24 **THE COURT:** The statute does not require those two
25 mandatory prison terms to run consecutively.

1 **MS. GLEASON:** That is my understanding, concurrent or
2 consecutive.

3 **THE COURT:** Go ahead.

4 **MS. GLEASON:** As far as penalties, there is a maximum
5 fine of \$250,000. There is an additional statutory penalty of
6 not more than \$50,000.

7 She understands that if the Court finds that she is
8 not indigent, that there will be a \$5,000 special assessment,
9 and in any case, a \$100 special assessment for each count of
10 conviction.

11 She also understands that she will be required to
12 register as a sex offender.

13 In exchange for the Government's agreement to not
14 oppose my motion to dismiss the remaining counts, the
15 Government does recommend to the Court the full three level
16 decrease in the offense level for her acceptance of
17 responsibility.

18 Ms. Saunders, in exchange for the dismissal of the
19 other counts with mandatory minimums, agrees to waive
20 substantially all of her rights to appeal and collaterally
21 attack the conviction.

22 She understands she retains her right to appeal based
23 on ineffective assistance of counsel, prosecutorial misconduct
24 not known to her at this time, a sentence in excess of the
25 statutory maximum, or a sentence based on an unconstitutional

1 factor.

2 She also agrees to forfeit any of the items that were
3 seized and that were part of the course of conduct, and there
4 are three items specifically laid out in the plea agreement for
5 forfeiture.

6 I think that's it.

7 **THE COURT:** Okay. Ms. Saunders, if you would stand
8 back up. Is that correct?

9 **THE DEFENDANT:** Yes, Ma'am.

10 **THE COURT:** Has anyone made any promises to you that
11 Ms. Gleason did not mention?

12 **THE DEFENDANT:** No.

13 **THE COURT:** And does the written plea agreement
14 contain the entire arrangement you have with the Government?

15 **THE DEFENDANT:** Yes, Ma'am.

16 **THE COURT:** Do you have any questions about that plea
17 agreement?

18 **THE DEFENDANT:** No, Ma'am.

19 **THE COURT:** The Government has agreed to make a
20 recommendation about your sentencing guideline level related to
21 acceptance of responsibility, if certain conditions are met,
22 which I suspect they are in this case. That's a recommendation
23 only, and the Court does not have to accept that
24 recommendation.

25 Do you understand?

1 **THE DEFENDANT:** Yes, Ma'am.

2 **THE COURT:** So if I do not accept that
3 recommendation, that is not a basis to withdraw your guilty
4 plea. Are you with me?

5 **THE DEFENDANT:** Yes.

6 **THE COURT:** Any questions about that?

7 **THE DEFENDANT:** No.

8 **THE COURT:** Has anyone made any threats or otherwise
9 attempted to force you to plead guilty against your wishes?

10 **THE DEFENDANT:** No, Ma'am.

11 **THE COURT:** Now you have been charged with two
12 crimes. We'll go over the elements of those crimes now. Just
13 stand up. Count One -- do you need to sit down?

14 **THE DEFENDANT:** No, no.

15 **THE COURT:** Count One is production -- hold on just a
16 second -- production of child pornography. The elements are
17 that the victim was less than 18 years old, specifically, a
18 minor with the initials MB1, from on or about January 1st,
19 2019, up to and including on or about February 28, 2019, in
20 Guilford County.

21 You used that minor to take part in sexually explicit
22 conduct for the purpose of producing a visual depiction of that
23 conduct, and it was produced using materials that had been
24 mailed, shipped, and transported in interstate or foreign
25 commerce by any means.

1 Do you understand those elements?

2 **THE DEFENDANT:** Yes, Ma'am.

3 **THE COURT:** This crime, if you plead not guilty, the
4 Government has to prove those things beyond a reasonable doubt.
5 If you plead guilty, you're admitting those things.

6 Do you understand?

7 **THE DEFENDANT:** Yes, Ma'am.

8 **THE COURT:** This crime carries a prison term. There
9 is a mandatory minimum prison term of 15 years, and a statutory
10 maximum of life -- excuse me, I misspoke. Fifteen years to 30
11 years, okay. So the mandatory minimum is 15 years. The
12 statutory maximum is 30 years for this crime.

13 Do you understand that?

14 **THE DEFENDANT:** Yes, Ma'am.

15 **THE COURT:** She doesn't have any prior convictions
16 for sex crimes or obscenity?

17 **MS. PRINZ:** No, Your Honor.

18 **MS. GLEASON:** No prior convictions at all.

19 **THE COURT:** It would be higher, a mandatory minimum
20 of 25 years, if you did.

21 Do you understand that?

22 **THE DEFENDANT:** Yes, Ma'am.

23 **THE COURT:** And there is a fine of up to \$250,000, or
24 twice the gross gain or loss caused by the crime, should that
25 be greater.

1 You will be on supervised release for at least five
2 years and up to life, and forfeiture is authorized.

3 There is mandatory restitution, a special assessment
4 of a hundred dollars, and special assessment that your lawyer
5 mentioned, which is \$5,000, unless you are indigent, and there
6 is another one for \$50,000 for child pornography production.

7 Do you understand about those special assessments?

8 **THE DEFENDANT:** Yes, Ma'am.

9 **THE COURT:** You'll also have to register as a sex
10 offender.

11 Do you have any questions about the penalties for
12 production of child pornography?

13 **THE DEFENDANT:** No, Ma'am.

14 **THE COURT:** Now let's turn to Count Six, distributing
15 child pornography. The elements of this offense are, from on
16 or about January 1st, 2019, continuing up to and including on
17 or about February 28, in Guilford County, you knowingly
18 distributed child pornography, using a means or facility of
19 interstate or for foreign commerce, including by computer, and
20 you knew at the time that the material contained child
21 pornography.

22 Do you understand those elements?

23 **THE DEFENDANT:** Yes, Ma'am.

24 **THE COURT:** If you plead not guilty, the Government
25 has to prove those things beyond a reasonable doubt. If you

1 plead guilty, you're admitting those things.

2 Do you understand?

3 **THE DEFENDANT:** Yes, Ma'am.

4 **THE COURT:** This crime carries a prison term of at
5 least five years and up to 20 years.

6 Do you understand that?

7 **THE DEFENDANT:** Yes, Ma'am.

8 **THE COURT:** If you have a prior conviction for
9 certain sex crimes or obscenity, then you are looking at a
10 sentence between 15 and 40 years.

11 Do you understand?

12 **THE DEFENDANT:** Yes, Ma'am.

13 **THE COURT:** Another fine can be imposed of up to
14 \$250,000, or twice the gross gain or loss caused by the crime,
15 should that be greater. You'll be on supervised release
16 similarly to the other one, of at least five years, or up to
17 life.

18 Forfeiture is authorized, and that is part of your
19 plea agreement, as you know.

20 There is mandatory restitution. You'll have to pay a
21 special assessment of a hundred dollars, and then you have the
22 special assessment which for this crime are \$5,000, unless you
23 are indigent, and \$35,000 for offenses of trafficking in child
24 pornography, which may include receipt or distribution.

25 Then you'll have to register as a sex offender for

1 this crime. You only have to register once, but both crimes
2 require it.

3 Do you understand that?

4 **THE DEFENDANT:** Yes, Ma'am.

5 **THE COURT:** Do you have any questions about any of
6 the penalties for elements for either of these crimes?

7 **THE DEFENDANT:** No.

8 **THE COURT:** Parole has been abolished, so if you are
9 sentenced to prison, you will not be released on parole. The
10 law does require supervision after the active prison term, so
11 when you get out of prison, you will be on supervised release
12 for at least five years.

13 The Court will decide at your sentencing hearing how
14 long your supervised release will be and what conditions you'll
15 have to comply with when you are on supervised release.
16 Ordinarily for this offense, it includes restrictions on your
17 ability to have contact with children, even prohibition.

18 You have to comply with the ordinary things like see
19 your probation officer, get a job. It may require some
20 counseling. The Court will decide at your sentencing hearing.

21 Do you understand?

22 **THE DEFENDANT:** Yes, Ma'am.

23 **THE COURT:** If you do not comply with those
24 conditions when you get out of prison, your supervised release
25 can be revoked, and the Court can send you back to prison.

1 That additional prison time can be substantial, and it can be
2 followed by more time on supervised release.

3 Do you understand?

4 **THE DEFENDANT:** Yes, Ma'am.

5 **THE COURT:** Any questions about what I just said?

6 **THE DEFENDANT:** No, Ma'am.

7 **THE COURT:** There are other consequences to a guilty
8 plea. You will have two felony convictions. It will be
9 illegal for you to possess a firearm or ammunition. You'll
10 lose certain civil rights, at least for a time, such as the
11 right to vote, right to hold public office and right to serve
12 on a jury.

13 If you are not a citizen, you'll almost certainly be
14 deported.

15 Do you understand?

16 **THE DEFENDANT:** Yes, Ma'am.

17 **THE COURT:** Where were you born?

18 **THE DEFENDANT:** Here in Greensboro, North Carolina.

19 **THE COURT:** If you plead guilty and the Court accepts
20 your guilty plea, your sentencing hearing will be after the
21 first of the year. In the meantime, the probation office will
22 prepare a presentence report. That report will have a lot of
23 information about you and your background and circumstances, as
24 well as about the crimes that you've pled guilty to.

25 It will also contain a proposed sentencing guideline

1 range, calculated specifically for your case, and taking into
2 account things like the nature of the crime, the actual harm
3 from the crime, any other relevant conduct. The number of
4 images, and your prior criminal history or lack thereof.

5 Do you understand?

6 **THE DEFENDANT:** Yes, Ma'am.

7 **THE COURT:** Any questions about how that works?

8 **THE DEFENDANT:** No, Ma'am.

9 **THE COURT:** You and your attorney will have an
10 opportunity to review that draft presentence report and the
11 final and you'll be able to object if there are mistakes in the
12 record or if you disagree with the way the guideline range is
13 calculated.

14 At your sentencing hearing, the Court will resolve
15 any factual disputes and will make the final decision about the
16 sentencing guideline range that applies in your case.

17 Do you understand?

18 **THE DEFENDANT:** Yes, Ma'am.

19 **THE COURT:** Once the Court determines the guideline
20 range, the Court will consider it. It is important. But
21 unlike the statutory provisions that we went over earlier, the
22 guideline range is not binding, it is advisory only, so the
23 Court may decide that a shorter sentence is appropriate, though
24 it cannot be shorter than the statutory minimum or longer
25 sentence, so it can't be longer than the statutory maximum.

1 The Court will decide your sentence at your
2 sentencing hearing, and only after considering the statutory
3 provision, the guideline range and the reasons for it. The
4 presentence report, any other evidence, the arguments of
5 counsel, and anything that you want to tell me.

6 Do you understand how the sentencing process works?

7 **THE DEFENDANT:** Yes, Ma'am.

8 **THE COURT:** Did Ms. Gleason explain all of that to
9 you before you got to Court today?

10 **THE DEFENDANT:** Yes, Ma'am.

11 **THE COURT:** Do you have any questions about it?

12 **THE DEFENDANT:** No, Ma'am.

13 **THE COURT:** As you can see, no one today knows what
14 your sentencing guideline range is, and no one knows what your
15 sentence is going to be. Your attorney may have suggested some
16 numbers to you as possibilities for your guideline range, based
17 on her experience with the United States Sentencing Guideline
18 range, but those are estimates only, and are not binding on the
19 Court.

20 If your guideline range or sentence turns out to be
21 different from any estimate that your attorney has given you,
22 that is not a basis to withdraw your guilty plea.

23 Do you understand?

24 **THE DEFENDANT:** Yes, Ma'am.

25 **THE COURT:** Has anybody made any promises to you

1 about your specific guideline range or your sentence?

2 **THE DEFENDANT:** No, Ma'am.

3 **THE COURT:** Has anybody promised you you will get the
4 statutory minimum?

5 **THE DEFENDANT:** No, Ma'am.

6 **THE COURT:** Ordinarily, you and the Government will
7 have certain rights to appeal the sentence that I impose. As
8 part of your plea agreement -- let me find the right provision.
9 Just a second.

10 As part of your plea agreement, you are significantly
11 limiting both your appeal rights and your post-conviction
12 rights to challenge any sentence or conviction after it becomes
13 final.

14 The only basis is ineffective assistance of counsel,
15 prosecutorial misconduct not known to you today, a sentence in
16 excess of the statutory maximum or a sentence based on
17 unconstitutional an factor. So other than those four things,
18 you have given up your right to challenge the sentence on
19 appeal, or to challenge your sentence or conviction down the
20 road if you think some mistake has been made.

21 Do you understand?

22 **THE DEFENDANT:** Yes, Ma'am.

23 **THE COURT:** Do you have any questions about that?

24 **THE DEFENDANT:** No, Ma'am.

25 **THE COURT:** It looks like she is promising as part of

1 the plea agreement -- she's agreed to the factual basis, is
2 that right?

3 **MS. GLEASON:** That's correct.

4 **THE COURT:** Have you seen that factual basis,
5 Ms. Saunders.

6 **THE DEFENDANT:** Yes, Ma'am.

7 **THE COURT:** Have you read it?

8 **THE DEFENDANT:** Yes, Ma'am.

9 **THE COURT:** Have you had time to talk to your lawyer
10 about it?

11 **THE DEFENDANT:** Yes, Ma'am.

12 **THE COURT:** Do you agree with it?

13 **THE DEFENDANT:** Yes, Ma'am.

14 **MS. GLEASON:** Your Honor, to clarify, she has
15 reviewed the unredacted version that was filed under seal.

16 **THE COURT:** Yes. Thank you for making that clear.

17 It looks like she's agreeing and stipulating that all
18 of her conduct set forth in the factual basis constitutes the
19 nature and circumstances of the offense and relevant conduct
20 and the Court can use these facts in calculating her guideline
21 range.

22 There may be other evidence. She also has agreed to
23 pay full restitution to all of the matters referenced in the
24 factual basis.

25 Is that right?

1 **MS. GLEASON:** That's correct.

2 **THE COURT:** Ms. Saunders, is that right?

3 **THE DEFENDANT:** Yes, Ma'am.

4 **THE COURT:** Did the Government want to add anything?

5 **MS. PRINZ:** No, Your Honor. Thank you.

6 **THE COURT:** Ms. Saunders, if you plead guilty, you
7 are admitting the elements of this offense. You are giving up
8 your constitutional rights to a trial, and you are accepting
9 the terms of the written plea agreement and agreeing to the
10 written factual basis.

11 Do you understand?

12 **THE DEFENDANT:** Yes, Ma'am.

13 **THE COURT:** Do you have any questions about anything
14 we've talked about here today or otherwise about your case?

15 **THE DEFENDANT:** No.

16 **THE COURT:** How do you plead to Count One, production
17 of child pornography; and Count Six, distribution of child
18 pornography?

19 **THE DEFENDANT:** Guilty.

20 **THE COURT:** Are you pleading guilty because you are
21 in fact guilty?

22 **THE DEFENDANT:** Yes, Ma'am.

23 **THE COURT:** The Court finds that the Defendant Alyson
24 Saunders is competent and capable of entering an informed plea,
25 that she is aware of the nature of the charges and the

1 consequences of a guilty plea, and her plea of guilty is a
2 knowing and voluntary plea.

3 So I did read the factual basis, unredacted version,
4 and the Defendant has already agreed to it without objection.
5 It appeared to me, that it provided an independent factual
6 basis for her guilty plea.

7 Do you agree, Ms. Gleason?

8 **MS. GLEASON:** I do, Your Honor.

9 **THE COURT:** Did you want to be heard further about
10 the factual basis?

11 **MS. GLEASON:** No, Your Honor.

12 **THE COURT:** Anything else that the Government wants
13 to say about the factual basis?

14 **MS. PRINZ:** No, Your Honor.

15 **THE COURT:** It clearly establishes all of the
16 elements, which I've mentioned earlier, and provides an
17 independent basis for her guilty plea.

18 The Defendant's plea of guilty is accepted, and the
19 Defendant, Alyson Brooke Saunders, is adjudged guilt of Count
20 One, production of child pornography; and Count Six,
21 distribution of child pornography.

22 I'll direct the probation office to prepare a
23 presentence report. They will want to talk with you,
24 Ms. Saunders, and your lawyer can be present.

25 I would guess she is at least eligible for the

1 psychosexual evaluation. Is she going to consent to that or
2 not?

3 **MS. GLEASON:** Your Honor --

4 **THE COURT:** Or do you want some time?

5 **MS. GLEASON:** Actually I've been speaking with
6 Ms. Saunders at length for some time, and I have already had my
7 office independently engage Dr. Hirsh to conduct a psychosexual
8 evaluation, and provided him with all of the information that
9 he would normally have, including all of the Government's
10 information. So, yes, she is going to participate in one.
11 That process has begun. I believe he'll be able to have the
12 report by the end of the year, and I will provide it to the
13 Government and the probation office, as well as I will put it
14 under seal so the Court can review it.

15 **THE COURT:** Thank you.

16 My next sentencing date, with all of that in mind,
17 would be Tuesday, February 16th at 9:30. Is that going to be
18 enough time, or should we move it out? I can do it
19 February 25th. Might need a little more time. February 25th
20 at 9:30. Is that okay?

21 **MS. PRINZ:** Yes, Your Honor.

22 **MS. GLEASON:** Yes, Your Honor.

23 **THE COURT:** I'm going to hold open two slots for this
24 case, since I would expect there might be some evidence and
25 such.

1 Is she in custody?

2 **MS. GLEASON:** She is.

3 In another case, I recall Dr. Hirsh needing more time
4 because he had not been able to have an in-person visit. He
5 has been able to do that with her, or he is going to be able
6 to. He has not met with her yet.

7 She is in Guilford County Jail, and they are allowing
8 professional visitations. I don't anticipate an issue. If one
9 arises, I'll certainly alert the Court.

10 **THE COURT:** I think maybe the other one is in
11 Alamance.

12 **MS. GLEASON:** Nobody is going there.

13 **THE COURT:** Yes. Nobody is going there.

14 Have I forgotten anything? Is there anything else
15 that I need to do?

16 **MS. GLEASON:** Not for the defense, Your Honor.

17 **MS. PRINZ:** No, Your Honor.

18 **THE COURT:** Ms. Saunders, do you have any questions?

19 **THE DEFENDANT:** No, Ma'am.

20 **THE COURT:** Sometimes sentencing hearings have to be
21 rescheduled. That's actually normally. Probably about
22 30 percent of them have to be rescheduled for one reason or
23 another. The pandemic has raised that percentage because -- I
24 don't know, it is disrupting everything. So it could be
25 rescheduled, but Ms. Gleason will keep you informed, and I'm

1 sure that the prosecutor will keep any victims and victim
2 family members informed.

3 I see some folks in here who I suspect are here for
4 that reason. So I'll hold the matter open for sentencing on
5 February 25th at 9:30, or thereafter as rescheduled.

6 You are in the custody of the Marshal, Ms. Saunders.

7 **MS. GLEASON:** Thank you, Your Honor.


8 (This matter was concluded.)
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C E R T I F I C A T E

I, J. CALHOUN, RPR, United States District Court
Reporter for the Middle District of North Carolina, DO HEREBY
CERTIFY:

That the foregoing is a true and correct transcript of
the proceedings had in the above-entitled matter.

Date: 12-15-2020


J. Calhoun, RPR
United States Court Reporter
324 W. Market Street
Greensboro, NC 27401